

**SAN JUAN COUNTY (SJC), WASHINGTON
MEETING MINUTES
COUNTY COUNCIL
December 13, 2011**

Tuesday, December 13 2011 - Council Hearing Room, Legislative Building, Friday Harbor

8:45 am SPECIAL MEETING

CLOSED SESSION: To discuss matters pertaining to collective bargaining pursuant to RCW 42.30.140(4)(b)

10:00 AM CALL TO ORDER REGULAR MEETING

Council Chair Lovel Pratt called the meeting to order at 10:00 a.m. Council Members present: Howard (Howie) Rosenfeld, Rich Peterson, Richard Fralick, Patty Miller and Jamie Stephens; Deputy County Administrator David Kelly, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public were present.

Chair Pratt welcomed everyone who is live-streaming the Council meeting and reminded the public that live-streaming and three months of prior Council meeting videos can be accessed by going to the San Juan County website www.sanjuanco.com and selecting the County Council tab.

Excused Absences:

Moved by Mr. Fralick, seconded by Mr. Rosenfeld, to excuse County Administrator Pete Rose who is on vacation. ALL AYES, MOTION CARRIED

Approval of Minutes (December 5 and 6):

Moved by Ms. Miller, seconded by Mr. Stephens, to approve the Minutes of December 5, 2011. ALL AYES, MOTION CARRIED

Moved by Ms. Miller, seconded by Mr. Stephens, to approve the Minutes of December 6, 2011. ALL AYES, MOTION CARRIED

Approval of Consent Agenda for December 13, 2011:

A. Resolutions:

Amendment to 2011 Road Plan

Ordinances:

B. Contracts/Agreements:

Intergovernmental Agreement for Law Enforcement Services and Assistance
Contract Renewal with Phil A. Albrechts for Hearing Examiner Services

C. Budget Items:

The Auditor's office requests approval for the following warrants:
Warrants #103592-103662 in the amount of \$59,992.61 for County Claims

D. Personnel:

E. Appointments

F. Correspondence:

G. Miscellaneous:

H. Bid Openings:

Moved by Mr. Peterson, seconded by Mr. Stephens, to approve the Consent Agenda of December 13, 2011. ALL AYES, MOTION CARRIED

Citizens Access: The following citizens offered comments: David Dehlendorf, Jack Cory, Liza Michaelson

10:15 AM PUBLIC HEARINGS:

1. To Consider Farm and Ag Conservation Land Current Use
Application No. POPNSP-11-0007 (Snowden) 253542002 – Lee
McEnery, Planner III

Present: Full Council, Deputy County Administrator David Kelly, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Chair Pratt informed those present that the Ordinance Adopting Rules of Procedures for Public Hearings could be found on the table near the entrance.

Ms. McEnery explained the findings and recommendations from the Planning Commission. Ms. Pratt opened for public testimony, and none was offered. Public Testimony was closed with the right to reopen. After discussion, the following action took place:

Moved by Mr. Stephens, seconded by Ms. Miller, to approve the Snowden Open Space Farm and Agricultural Conservation Land Current Use application, No. POPNSP-11-0007. ALL AYES, MOTION CARRIED

2. To Consider Farm and Agricultural Conservation Land Current Use
Application POPNSP-11-0008 (Rishel 340311001 and 340311003) –
Lee McEnery

Present: Full Council, Deputy County Administrator David Kelly, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Chair Pratt informed those present that the Ordinance Adopting Rules of Procedures for Public Hearings could be found on the table near the entrance.

Ms. McEnery explained the findings and recommendations from the Planning Commission. Ms. Pratt opened for public testimony, and none was offered. Public Testimony was closed with the right to reopen. After discussion, the following action took place:

Moved by Mr. Peterson, seconded by Mr. Stephens, to approve the Rishel Open space Farm and Agricultural Conservation Land Current Use Application No. POPNSP-11-0008 of 6.8 acres identified as pasture land and fenced accordingly. ALL AYES, MOTION CARRIED

3. To Consider Farm and Agricultural Conservation Land Current Use

Application POPNSP-11-0009 (Nelson 253534002) Lopez Island – Lee McEnery

Present: Full Council, Deputy County Administrator David Kelly, Clerk to the Council Ingrid Gabriel, Deputy Clerk Maureen See, and interested members of the public

Chair Pratt informed those present that the Ordinance Adopting Rules of Procedures for Public Hearings could be found on the table near the entrance.

Ms. McEnery explained the findings and recommendations from the Planning Commission. Ms. Pratt opened for public testimony, and none was offered. Public Testimony was closed with the right to reopen. After discussion, the following action took place:

Moved by Mr. Stephens, seconded by Mr. Rosenfeld, to approve the Nelson Open Space Farm and Agricultural Conservation Land Current Use Application No. POPNSP-11-0009 subject to a monitored noxious weed control and land restoration plan. ALL AYES, MOTION CARRIED

10:34 AM CLERK UPDATE AND ADMINISTRATIVE MATTERS:

Ms. Gabriel reminded Council that today is the last meeting for 2011, and we will reconvene on January 10, 2012.

Ms. See reported there was no action for the Council on committees today.

Review of Agendas:

Ms. Pratt reported that the Accountability Oversight Committee (AOC) will meet on January 20, 2012.

Mr. Stephens reported that the North Sound Regional Mental Health Association (NSRMH) meeting calendar for 2012 will be as follows: February 9, April 12, June 14, August 9, October 11, and December 13.

Mr. Fralick reported that the Salmon Recovery Council will meet on January 26, 2012.

Mr. Peterson gave the Council an update on the Wireless Communication Subcommittee (Peterson, Fralick, Stephens) work.

10:45 AM DISCUSSION: Resolution on ESHB 1886 Voluntary Agricultural Stewardship Program (VSP) (2nd Touch, public comment will be taken) – Janice Biletnikoff, Planner III; Randall Gaylord, Prosecuting Attorney; Peggy Bill, Agricultural Resources Committee Coordinator

Ms. Biletnikoff updated the Council on the VSP, and the recent stakeholder meeting with the Tribes regarding the VSP. Mr. Gaylord stressed the legal implications of the VSP including a compliant work plan.

Public Comments by: Henning Sehmsdorf, Bruce Gregory, Ron Zee

11:53 AM COUNTY ADMINISTRATOR'S ITEMS:

1. ACTION: Deed to Buffum Conservation Easement, Lopez Island – Lincoln Bormann, Director Land Bank; Jon Cain, Deputy Prosecuting Attorney

Mr. Kelly offered background on the Buffum Conservation Easement. Mr. Bormann explained additional changes made to the Deed of Agricultural Conservation Easement. After discussion, the following action took place:

Moved by Mr. Stephens, seconded by Mr. Peterson, to approve a Resolution to accept the Deed for the Buffum Conservation Easement, Lopez Island amended as follows: 1) Add the word “substantially” to #1 under Now Therefore Be it Resolved, 2) Add a new #5 under Background that says the Recreation and Conservation Office who has provided funding for this project has asked for minor adjustments. ALL AYES, MOTION CARRIED

2. ACTION: Acceptance of Grant from Washington Department of Transportation (WDOT) for Phase II of Transportation Element Update – Senior Planner Colin Maycock

Mr. Kelly introduced the possibility of accepting a grant from the WDOT. Mr. Maycock explained the grant in the amount of \$39,220 to produce a final adoption version of the comprehensive plan transportation element. After discussion, the following action took place:

Moved by Mr. Rosenfeld, seconded by Mr. Stephens, to authorize acceptance of a grant in the amount of \$39,220 to complete Phase 2 of the Transportation Element Update and to include this grant in the first Supplemental Appropriation Ordinance in 2012. ALL AYES, MOTION CARRIED

12:18 PM RECESS FOR LUNCH

1:15 PM DISCUSSION: 2012 Budget Follow Up – David Kelly, Deputy Director

Mr. Kelly gave a PowerPoint presentation on the General Fund 2012 Budget.

Mr. Fralick gave the recommendations from the Budget Subcommittee.

Moved by Mr. Peterson, seconded by Mr. Rosenfeld, to accept the recommendations of the Budget Subcommittee as to funding the Deputy Prosecuting Attorney through March 1 at \$5,500, and to leave the position open if a vacancy develops. ALL AYES, MOTION CARRIED

2:00 PM PRESENTATION: Economic Development Council (EDC) Broadband Update – Victoria Compton, EDC Director; Jim Hooper, EDC President

Mr. Hooper introduced the discussion on Broadband and the marketing research study conducted by the EDC. Ms. Compton introduced Tom Schramm who did the market research.

2:54 PM COUNCIL MEMBER UPDATES & DISCUSSION ITEMS:

Legislative Priorities: Ms. Pratt reported that the Washington State Association of Counties (WSAC) held a Legislative Steering Committee (LSC) meeting on 12/8/2011. Ms. Pratt will continue to maintain the WSAC LSC read file (located in the Council office) during the legislative session. The WSAC LSC took action to support HB2149 regarding a Private Property Tax Amnesty. Ms. Pratt reported that if there is a special election for any sort of revenue proposal, the Legislature is aware that funding for the cost of the election at the local level would need to be identified.

Ferries/FAC/Intermodal: Mr. Rosenfeld reported that there was an Executive Committee of Ferry Advisory Committee meeting last week. David Moseley is optimistic that the Governor's Task Force will come up with a revenue package. The Task Force will come up with a funding package of 10, 20 or 30 billion which will go to the legislature and then to voters. One problem is that the current Special Session is unable to come up with a fix for the shortfall in the General Fund which will compete in 2012 with transportation funding.

Ridership in San Juans is up in 2011 and the data is available on the Washington State Ferries (WSF) website. The Hiyu will be the primary backup for interisland travel this winter. WSF held their meeting here last week on December 1 in Council Chambers, which included live-streaming, thanks to staff. There were more people in attendance from Lopez than from San Juan Island so they will be working on getting more public participation. The San Juan County FAC meets Wednesday, December 14, will review scheduling.

Mr. Rosenfeld also pointed out that discussions on reservations are still left undecided, with possible start time in 2015. Evergreen State will remain available to the San Juan Islands through 2014. WSF is talking about using liquefied natural gas conversions to run ferry boats

Budget Subcommittee: Mr. Fralick gave a budget report at 1:15 pm.

General Government Subcommittee: Mr. Peterson had nothing to report at this time.

Solid Waste Subcommittee: Ms. Miller reported that it was originally planned to discuss solid waste on today's agenda, but that time is dedicated in January/February for a solid waste discussion. Ms. Miller reported on a recent conference call with WUTC to try and gain a better understanding of the regulations. Mr. Stephens added that the Solid Waste Advisory Committee (SWAC) is interested in reviewing parts of the Solid Waste Management Plan and noted that most chapters most are up on the web. Mr. Stephens also noted that the SWAC is interested in offering input to the Council early on and not after the fact. There are number of questions to be answered that the WUTC will be responding to in writing.

Discussion followed on the public participation plan for the Solid Waste Management Plan. It is expected that public meetings will be held on all islands. Mr. Rosenfeld suggested a list of questions be posed (through an executive summary) and put on line for voters to review.

Additional Updates & Discussion Items:

Mr. Fralick gave an update on the Salmon Recovery Council meeting he attended.

Review Agendas:

Ms. Miller reported on 2012 Council Calendar : Council retreat on January 23, solid waste and CAO discussions on February 6 or February 13. There was a discussion of the January 10 agenda.

4:01 PM ADJOURN

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

These Minutes were approved and signed on January 10, 2012. The original document is retained in the Council's permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk.